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7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

10 MICHELE MCGEE,

11 Plaintiff,

12 vs.

13 EXPERIAN INFORMATION SOLUTIONS,
 INC., et. al.

14 Defendants.

Case No. 5:15-cv-03124-EJD

**PLAINTIFF'S NOTICE OF VOLUNTARY
 DISMISSAL OF DEFENDANT
 COMENTIY BANK PURSUANT TO
 FEDERAL RULE OF CIVIL
 PROCEDURE 41(A)(1)**

16 **PLEASE TAKE NOTICE** that Plaintiff Michele McGee, pursuant to Federal rule of Civil
 17 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Comenity Bank as to all claims in this
 18 action.

19 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

20 41(a) Voluntary Dismissal.

21 (1) By the Plaintiff.

22 (a) *Without a Court Order.* Subject to Rules 23(3), 23.1(c), 23.2, and 66 and
 23 any applicable federal statute, the plaintiff may dismiss an action without a
 24 court order by filing:

25 (1) a notice of dismissal before the opposing party service either an
 26 answer or a motion for summary judgment.

27 Defendant Comenity Bank has neither answered Plaintiff's Complaint, nor filed a motion



1 for summary judgment. Accordingly, the matter may be dismissed against it for all purposes and
2 without an Order of the Court.

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4 DATED: August 27, 2015

SAGARIA LAW
A Professional Corporation

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7 By: /s/Elliot W. Gale
Elliot W. Gale

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9 Attorneys for Plaintiff Michele McGee

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